

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

BARRY KENDALE ANGLIN,)	
)	
Plaintiff,)	
)	No. 2:20-cv-02019-JTF-atc
)	
v.)	
)	
SHELBY COUNTY JAIL and OFFICER)	
JONES,)	
)	
Defendants.)	

**ORDER DISMISSING CASE,
CERTIFYING AN APPEAL WOULD NOT BE TAKEN IN GOOD FAITH,
ASSESSING STRIKE PURSUANT TO 28 U.S.C. § 1915(g), AND
NOTIFYING PLAINTIFF OF APPELLATE FILING FEE**

On January 8, 2020, Plaintiff Barry Kendale Anglin, booking number 11911834, who is incarcerated at Shelby County Jail (“Jail”), in Memphis, Tennessee, filed a *pro se* complaint pursuant to 42 U.S.C. § 1983. (ECF No. 1.)

On October 14, 2020, the Court dismissed Anglin’s complaint for failure to state a claim on which relief can be granted, pursuant to 28 U.S.C. §§ 1915(e)(2) and 1915A(b). (ECF No. 16.) The Court granted him leave to amend his claims within twenty-one (21) days. (*Id.* at PageID 38.) Anglin was warned that if he failed to timely amend, the Court would dismiss the case, assess a strike pursuant to 28 U.S.C. § 1915(g), and enter judgment.

Plaintiff’s deadline to amend his claims expired on November 4, 2020. Anglin has not filed an amended complaint, and the time within which to do so has expired.

For this reason, the Court **DISMISSES** this case with prejudice in its entirety pursuant to 28 U.S.C. §§ 1915(e)(2)(B)(ii) and 1915A(b)(1). Judgment will be entered in accordance with the

October 14, 2020 order dismissing the complaint for failure to state a claim on which relief may be granted.

Anglin is **ASSESSED** his first strike under 28 U.S.C. § 1915(g). This strike shall take effect when judgment is entered. *See Coleman v. Tollefson*, 135 S. Ct. 1759, 1763-64 (2015). For analysis under 28 U.S.C. § 1915(g) of future filings, if any, by Plaintiff, this is the first dismissal of one of his cases as frivolous or for failure to state a claim.

Pursuant to Federal Rule of Appellate Procedure 24(a) and 28 U.S.C. § 1915(a)(3), it is **CERTIFIED** that any appeal in this matter by Plaintiff would not be taken in good faith. If Plaintiff nevertheless chooses to file a notice of appeal, he must either pay the entire \$505 appellate filing fee or submit a new in forma pauperis affidavit and a current, certified copy of his inmate trust account statement for the last six months, in compliance with 28 U.S.C. §§ 1915(a)-(b).

IT IS SO ORDERED, this 9th day of November 2020.

s/John T. Fowlkes, Jr.

JOHN T. FOWLKES, JR.

UNITED STATES DISTRICT JUDGE